

now, and I have suffered for it too bitterly."

"We have all suffered, my darling," says the Colonel tenderly, "but it may teach us a valuable lesson, never to believe that which we have not proved."

"And never to disbelieve that which we have not disproved," retorts Ethel. "If I had only been a little more credulous and a little less boastful of my own courage, I might not have lived to see my child torn from my arms by the spirit of the White Woman."

"And whatever Ethel Dunstan believed or not, I have only, in concluding her story, to reiterate my assertion that the circumstances of it are strictly true."

COMMERCIAL.

SATURDAY, March 8, 1884.

There is a marked improvement in business generally during the week, though there is still a wide margin for farther advancement. Retail dealers report an increase in their sales, though the realizations are hardly adequate to what they would expect from the heavy stocks they have on hand.

The receipts of sugar continue on a similar scale to that reported last week, and the few foreign-going vessels in port are all fully engaged to load with the island products. The Oceanic S. S. Co., notwithstanding the heavy cargoes dispatched last week by the S. S. Alameda and the W. G. Irwin have found it necessary to charter the Caibarien to take the surplus sugar they had on hand. They have also a full load awaiting shipment per barkentine W. H. Dimond, at present discharging her inward cargo.

Seven whalers have arrived during the week, comprising the Narwhal, Sea Breeze, Abram Barker, Fleetwing, Northern Light, Mary and Helen and Orea. The Napoleon is expected to-day from Hilo. The complete list of whalers that called at this port since the 1st January will be found in the local columns. The Ohio landed 150 barrels sperm oil, the Abram Barker 25 sperm and 75 whale oil, Fleetwing 160 barrels whale oil, Mary and Helen 300 barrels whale oil and the Napoleon 150 barrels.

All these vessels leave for the North shortly after the arrival of the S. S. Mariposa with the mails.

In addition to the whaling vessels the arrivals comprise the barkentine W. H. Dimond from San Francisco. The S. S. Mariposa is due to-day.

The departures consisted of the S. S. Alameda, W. G. Irwin, and U. S. S. Hartford for San Francisco, tern D. S. Williams from Port Townsend. The Caibarien sails to-day and the D. C. Murray on Monday for San Francisco.

The dullness of trade which has been reported for several weeks past is attributed to the uncertainty that hangs about the Treaty. On this all important matter, we have fully expressed our views in the editorial columns during the week and which are re-produced in this weekly summary. Everybody interested in sugar, which includes all who have the interest of the country at heart, look anxiously for the arrival of every mail. The S. S. Mariposa due to-day at noon, may possibly bring some news that will tend to pacify the mind of the ever-anxious planter.

The preliminary work in connection with the laying of an inter-island telegraph wire, to which we have previously alluded, has been completed between Maui and Hawaii, and also between Maui and Oahu. The reports are more favorable than were anticipated and in all probability the successful laying of the submarine wire will *au fait accomplis* before the end of the current year.

An immense sale of ancient Hawaiian wood ware and matting, will take place on Wednesday next at the late residence of H. R. H. Ruth Keelikolani.

The effect of last year's drought is now being felt by the raisers of taro. The available quantity of this indispensable vegetable is far below the actual requirements, and it is anticipated that pot will have to be imported from some of the other islands. In such a contingency the taro flour prepared by the Alden Fruit and Taro Co. will be found a desideratum.

The latest local enterprises consist of a bone meal manufactory by Mr. Waller, and a cigar factory by Messrs. J. W. Hingley & Co.

EXCITEMENT AT KAKAOKO.

Six natives, named Kaulikapo, Kawa and four others, patients in the Branch Hospital, though diseased, are strong, active men. About 5 o'clock yesterday morning they broke open the door of Van Gieson's house, and made an assault upon him in

his bed. One of the men, seizing him by the hair, dragged him on to the floor, and another held him by the throat and attempted to throttle him. At the same time one of the gang was seen spelling around the floor the contents of a bottle, which proved to be kerosene. It happened that there was an extra guard on the premises at the time, on account of preparations for deporting a number of patients for Kalaheo the same day, and Van Gieson succeeded in raising a cry for help, when the guard rushed into his house and rescued him from the hands of his assailants, who are now confined, awaiting an investigation. It appears that letters written by patients from the hospital, and addressed to members of the Royal Family, stated that blood would be shed if any attempt was made to remove any of the people from the Branch Hospital to Molokai. They all stated that since the arrival of the Sisters of Charity all the patients were greatly improving under their constant and unflinching care, and they (the patients) felt bitter in consequence of having to leave a well-ordered home, where there seemed to be a chance for their lives, to go into banishment to a place where there seemed to be no chance.

His Excellency the President of the Board of Health shortly afterwards went to the hospital to inquire into the trouble and to seek to reconcile the patients to their unfortunate situation. At about 9 a.m. Her Majesty the Queen accompanied by H. R. H. Princess Poanikalani arrived at the hospital. On the arrival of the Queen all the patients were called together and assembled in front of Her Majesty who was seated on the verandah of the office of the hospital. At Her Majesty's request, the President of the Board addressed the people.

Mr. Gibson spoke very earnestly and feelingly to the people, expressing his heaviness of heart at the great calamity afflicting the people and the necessary law to provide for a separation in order to save those who were well. He said that out of great evil, great blessing sometimes arises. Here is an apparent heavy curse afflicting Hawaii, yet owing to the enlightened action of the Government, both in its Executive and Legislative branches in times past and continued to this day, liberal provision had been made for the care and treatment of the sick, to send abroad for medical skill, and recently to seek assiduously to obtain the nursing care of a band of devoted women, so that this little Kingdom was providing for this sad calamity in a way that was honorable to the enlightened spirit of its government and people, and in a way they would satisfy the enlightened sentiment of humanity abroad, so that ultimately our great misfortune might yield us a blessing in the way of an increased good name. But if we break our laws, if we defy our authorities and violently maltreat those who are appointed to serve us, we will damage the good name for obedience to law and order which has ever been attributed to Hawaiian people. He said he would stay with them this day to confer with them and treat with them as fellow beings and friends and no one should be dragged about against their volition, but they should be treated with every loving care.

Hon. John T. Baker, by request of the Queen, addressed the people a few words calculated to harmonize their feelings. The Hon. J. L. Kaulukou also addressed the lepers.

Her Majesty made a few gracious parting remarks, expressing her great love for her suffering people and urging them to be obedient to the law.

The Rev. Kanwa, who is a patient, addressed a few words to Her Majesty in behalf of his fellow sufferers. He said that since the good and religious women had come (the Sisters of Charity) who were constant in their care and attention of them, their hearts had revived and many were now hopeful of health who had formerly despaired and therefore there was such a sad and painful feeling to leave this well ordered hospital and these kind and gentle Sisters who waited on them like Angels. He then lifted up his hands and offered a short and impressive prayer.

As Her Majesty drove away the lepers raised their voices and shouted vigorously repeated hurrahs.

The President of the Board of Health, who remained there, sat down in the office and called before him the patients who had been marked for departure to the Leper Settlement on Molokai. He invited about fifty who had been so marked in lots of fives, and after some kindly discussion and representation, about 30 willingly assented to go to the Molokai Settlement.

Later in the day they were summoned to go on board the steamer Mokoli, when 39 came forward, all of their own accord. In fact, the embarkation was of a quiet and orderly character, and, with one exception, there was none of the extraordinary wailing that usually accompanies the departure of these unfortunates to their last home on earth. The steamer sailed about 6 p. m.

SUPREME COURT IN EQUITY.

Opinion by Chancellor Judd.

J. C. GABRIEL VS. B. R. MACFARLANE.

This is a Bill in Equity for restitution to the plaintiff as tenant certain lands in Ahumahu, Koolapoko, Oahu.

It is claimed by the lessor, defendant, that his taking possession of the premises was justified by plaintiff's previous abandonment of the same. I do not think that the facts show a permanent intention on the part of the tenant to surrender the premises.

Nor do I think that the covenant against waste is breached by bad husbandry in neglecting the irrigating and cultivating of sugar cane growing there. From the whole

testimony in the case I think plaintiff's case planting interests were without market value. There was no mill which could grind the cane within a distance over which it would pay to cart the cane, and the borers were making havoc in it.

I therefore hold that the tenant has suffered no damage by his eviction.

The evidence on the question of defendant's damages is too indefinite to enable me to arrive at any conclusion.

My judgment is that the plaintiff have restitution of the premises on paying the rent due to date and interest.

Decree accordingly.

(Signed) A. F. Judd, Chief Justice and Chancellor. Messrs. Smith & Thurston for plaintiff, Mr. C. W. Ashford for defendant. Honolulu, March 7, 1884.

INTERMEDIARY COURT.

Held by Mr. Justice McCully.

S. P. KANUHA VS. W. L. HOLOKAKHI.

The defendant is an attorney at law, and the action is brought to recover \$200, as "money had and received for plaintiff's use."

The plaintiff paid the defendant \$150 as a retainer or fee in two prospective ejectment suits, and also deposited with him \$104 for the costs of Court in the same.

The two pieces of land are in Koolaha, Hawaii. The defendant went with the plaintiff to Koolaha, and induced the adverse holders of the lots to abandon their claims without suit. He afterwards assisted the plaintiff to sell the lots for \$2,400, of which \$2,000 was paid in cash, \$400 being left to pay off a mortgage of that amount on the land.

The plaintiff claims that he was unjustly and inequitably induced to pay the defendant \$104 deposited with him for costs in actions which were not brought, and that \$200, being 10 per cent. of \$2,000, was at least \$100 too much for the services in the sale of the land, and so brings his action for \$200, throwing off \$4 to bring it within Police Court jurisdiction.

In my opinion, the charges are too high, and if the defendant were bringing the action to recover these amounts upon a *quantum meruit*, I should not allow them. But the plaintiff testifies that he freely consented to pay the amounts, and his wife also, who was the owner of the land, and was a party to the conference, agreed to the payment of the \$200, as 10 per cent. on the cash received; that the defendant wanted to return the \$104 deposited for costs, but that his wife and himself told him to retain it for himself.

There is no evidence of fraud, deceit, or of a failure to do the client's business. It is only claimed for the defendant that he asked too high a price, and that the plaintiff was ignorant and gave it.

To hold that money so paid may be recovered, would be to permit all persons who consider that they have paid their legal advisers excessive fees, to bring actions to recover the excess.

I do not think that the proofs in this case support a judgment for the plaintiff. Judgment for defendant.

(Signed) LAWRENCE McCULLY.

Justice holding Intermediary Court.

W. A. Kinney for plaintiff; W. L. Holokahi in person.

Honolulu: March 5, 1884.

Appeal noted to the Supreme Court, April term.

POLICE COURT.

BEFORE POLICE JUSTICE ECKERTON.

Wednesday, March 5, 1884.

Chun Hoo was charged with burglary in the sleeping room of Ah Yuen, at the Chinese Theatre on the night of the 1st instant. Remanded until moved in by the prosecution.

Four charges of drunkenness in each of which the usual fine was inflicted.

Paakani was charged with vagrancy during the three months last past. Remanded until 6th instant.

Ah Chew and Ah Wai on a charge of assault and battery were again remanded until the 7th inst.

Mua (k) and Ka Mana (w) were charged with adultery during the three months last past. Plea, not guilty. Remanded. Knahi, a sailor was committed to Reformatory school for truancy.

Lahima was charged with a false impersonation by impersonating himself to be Paua, father of Hamia (w) to Jas. H. Boyd for purpose of procuring a marriage licence. Plea, guilty. Committed to Supreme Court at next April term.

Thursday, March 6, 1884.

Ah Ing, Ah Fat, Ah Young, Ah Chew, Lee Hin, Ah Wo, Ah Kin, Ah Sing, and Yang Sin were charged, under Chapter 37 of the Penal Code, and its amendments, Law 1876, page 6 by living in idleness, and about gaming houses where gaming was being carried on, at Honolulu during the week last past, more particularly on the 5th instant. Remanded until the 7th instant.

Paakalani, charged with vagrancy, was again remanded until 8th inst.

Ah Hong charged with perjury, was remanded until 10th instant.

CIVIL CASES.

Thursday, March 6th, 1884.

L. Ahlo vs. L. Amoo and Lampan, trading as L. Amoo & Co.

This was a case for the recovery of \$200 on a promissory note signed by L. Amoo & Co. Mr. E. H. Ward for the plaintiff and Mr. W. O. Smith for defendant Lampan, who denied any liability as a partner. Evidence was given showing the defendant's indebtedness and notwithstanding the argument of counsel for defendant, His Honor gave judgment against Lampan and L. Amoo for the full amount with costs. Appeal noted.

Hy Turton vs. Joe Malay. Deserting contract service. Remanded until return of Netie Merrill.

D. M. Crowley vs. W. Pfluger. Assumpsit for 64. No appearance for defendant. Judgment for plaintiff for amount claimed and costs \$3 45.

M. Bodereck vs. J. N. Palanolelo. Action. Damages \$200. Mr. J. Barenaba for plaintiff. Mr. E. Preston for defendant. The plaintiff stated that the defendant gave him a female child to keep two years ago. It cost him \$7 87 1/2 a week to keep the child. He found clothing, food, etc., and he thought it worth \$4. 85, or \$8 per week for his trouble. The defendant took his child away on the 27th last month. In cross-examination he stated that his wife (now deceased) was aunt of the child. His wife did not want the child, but he, plaintiff, wanted the child. When he took the child he made arrangements for its care. He told the defendant when child grew up it could choose for itself.

Mr. Preston moved that judgment be entered on showing made by plaintiff. Judgment for plaintiff. Costs \$4 75. Appeal noted to Intermediary Court.

G. Awana vs. Ah Hong. Assumpsit for \$112 78. Mr. C. Brown for plaintiff; Mr. W. R. Castle for defendant. The amount claimed was for goods sold and delivered at Waima, Hawaii, \$71 28 and a note for \$41 50. Judgment for plaintiff for \$46 65; Interest, \$10 30; Attorney's fees, \$5 69; costs, \$8 95; total, \$66 59.

Two cases continued and one case discontinued.

HEALTH REPORT.

MORTUARY REPORT FOR FEBRUARY, 1884.

The total number of deaths reported for the month of February was 53, distributed as follows:

Under 1 year.....	5	From 30 to 40.....	4
From 1 to 5.....	0	From 40 to 50.....	8
From 5 to 10.....	0	From 50 to 60.....	4
From 10 to 20.....	1	From 60 to 70.....	1
From 20 to 30.....	11	Over 70.....	1

Males.....	41	Females.....	12
Hawaiians.....	30	(Great Britain.....	1
Chinese.....	15	United States America.....	4
Portuguese.....	1	Other Nationalities.....	2
South Sea Islands.....	0		

CAUSE OF DEATH.

Asthma.....	2	Dropsy.....	2
Alcohol.....	1	Dysentery.....	1
Beriberi.....	9	Erysipelas.....	1
Bronchitis.....	1	Hemorrhage.....	1
Consumption.....	15	Old Age.....	4
Convulsions.....	3	Paralysis.....	3
Congestion.....	1	Syphilis.....	1
Disease of Brain.....	1	Teething.....	1
Disease of Heart.....	1	Unknown.....	2

Total.....	53
Unattended.....	11

COMPARATIVE MONTHLY MORTALITY.

February, 1878, deaths, 46; February, 1882, deaths, 28; February, 1879, deaths, 70; February, 1883, deaths, 48; February, 1880, deaths, 59; February, 1884, deaths, 53; February, 1881, deaths, 54.

DEATHS BY WEEKS FOR MONTH.

Week.....	1	2	3	4	5	6	7	8	9	10	11	12	13
Deaths.....	3	6	11	1	1	2	1	2	10				1

Outside.....10.

NOTE:—Nine of the above were non-residents.

JOHN H. BROWN,

Agent, Board of Health.

SICKNESS IN SCHOOLS.

During month of February, 1884.

SCHOOLS.	SCHOLARS.	SICK.	PERCENTAGE OF SICKNESS.
Fort St.....	165	2	1.
Royal.....	260	2	.8
Pohukaina.....	130	13	10.
St. Albans.....	87	1	1.40
St. Louis.....	221	7	3.
Prophary.....	98	9	9.5.10

Scholars absent three or more consecutive days on account of sickness, or alleged sickness, are reported sick.

The March number of the *Friend* reached us on Wednesday. It opens with a brief, but highly complimentary letter from Mr. Henry A. Peirce, a gentleman who resided twenty-two years on these Islands, to the Rev. Father Damon, alluding particularly to the jubilee sermon preached at the Bethel on the 2d December and to the Bethel Church as a place of worship. Mr. Frank Damon furnishes his third number of Rambles in China. At the outset he says:—"I am somewhat afraid that I have chosen a rather inappropriate heading for my letters from China. For the present unsettled state of affairs does not permit of my making the excursions into the country which would furnish me with more varied material for my letters and which would justify me in assuming the role of a rambler. The old year is closing and yet no satisfactory solution has been found for the difficult questions which have arisen between France and China, and which have grown increasingly complicated as the months

have gone by. We wait anxiously to see what the near year will bring. Strangely out of harmony with this season of Christians rejoicing seem the preparations for war which are heard on every side. The world has yet to learn in all its breadth and beauty the sweet significance of that angelic chorus, sung in the star-lit Judean sky: 'Peace on Earth, Good Will to Men.'

Mr. Damon considers "this an especially trying season for the native Christians; the prayers of Christians in all parts of the world should go up for them at this time. I might have visited China at a more joyous season in missionary effort; but I believe it is even more profitable to be here now, to see the 'inner-side' of missionary life—to see what difficulties and trials they are called upon to bear, and to see what it means in very deed for a Chinaman in China to confess Jesus Christ as his Saviour." In commenting upon "Christianity in China," Mr. Damon says he has not found Christianity a failure in China, but he has found the power of evil greater than he anticipated. At the time he writes, public preaching in the chapels in the city of Canton has been discontinued, in order that no commotion may be excited among the populace. In the latter part of Mr. Damon's letter he refers with great pleasure to his meeting with an old Hawaiian, the Rev. Dr. L. H. Gulick, agent of the American Bible Society for China. Finally, he says: "Apropos of the Gulicks, a cultured American lady of unusual mental grasp, traveling round the world, recently said to me that perhaps the pleasantest memory of her Japanese visit was that of a conversation she had with Rev. John Gulick, who impressed her as a man of fine intellectual power, and whom she regards as one of those wise and helpful teachers and guides of young and aspiring Japan at this important period of its mental and moral development." A brief article on the whaling trade, a letter from Mr. Fred. L. Hanks, a few editorial remarks, and the usual page of Y. M. C. A. matters, complete the number.

The *Planter's Monthly* for March is to hand, and this number closes the second volume. The editor is pleased to state that "the experience of the past two years has demonstrated the correctness of the views of those who advocated the establishment of such a journal." A written history of Hawaiian plants is strongly advocated in a short article. An abstract from a letter written by Dr. J. H. Bemiss, formerly of Walluku, now in Orleans, is published. It relates principally to leprosy in Louisiana. He says: "The disease has a greater foothold in Louisiana than I believed. Nearly a century ago it was quite prevalent, but it was thought to have been stamped out. But when I tell you that I have, since my return in the fall of 1882, seen and taken the history of eight cases of genuine well-marked leprosy, you may believe we have some cause for alarm. Moreover, I must add that these people live in New Orleans, and were in no case sought for, but came voluntarily to the hospital for the treatment of other troubles, as they supposed, than leprosy." The longest, and undoubtedly the most interesting article to planters, is the one entitled "The United States Congress and the Hawaiian Treaty." In this is included the reports from the Committee on Foreign Relations, published in these columns last week. An alphabetical list of United States Senators with their respective addresses is published, also the several standing committees. A correspondent from New Orleans urges a representation of the Planters' Association at the next World's Exposition to be held in New Orleans 1884-5. Some very readable selections and a few items make up a very interesting magazine of 32 pages.

From Hamakua we are informed that an inquest was held at Honokaa on the 12th February on the body of Ben Hamer, known as Nigger Ben, who died in Honokaa gaol on the 8th February, 1884. Dr. Greenfield testified that Ben died from the effects of poison—corrosive sublimate—He (Dr. G.) sold the poison to Ben who said he wanted it to poison dogs. Mr. R. M. Overend stated that he was called to attend to a Portuguese who had been shot by Ben Hamer. After seeing the Portuguese, he found Ben crawling on the road, dragging a gun, at the same time vomiting. He asked what was the matter. Ben said he had taken 1-16 of an inch (sic) of poison, and that he had shot a Portuguese and was trying to get to the Judge's house to give himself up. The jury being satisfied of the cause of death returned a verdict of "Suicide from poison." After the inquest the wounded Portuguese made a sworn statement to the following effect: "I met Ben up town in front of Mr. Holmes' store. He told me that I must pay my own store bills in future. He (B.) had been paying our household expenses up to that time. Sometimes when he wanted a few dollars I would give it to him. After he told me to pay my own bills, I told him that I did not want him to come to my house any more. I told him that he was a bad man; that since he became jailor that he was hard on kanakas and Portuguese, and not to come to my house again. Ben said all right. I will not come again," and also said he would finish Manoel and myself that night. He then took out his knife and opened it, but I did not know what he wanted to do with it. He went off towards Mill's store, and I went home. He said no more at the time. That evening between 5 and 6 o'clock, as I was sitting at this table, I saw Ben raise his gun and aim at me. I moved my head to avoid the shot, but was too late. The shot struck me in the face and eyes. We never had any words or difficulty before. Always lived friendly together. He fired through the window. I saw him plainly. An agent that it was Ben. This is all I know about."